



United States Department of the Interior



NATIONAL PARK SERVICE
VIRGIN ISLANDS NATIONAL PARK
VIRGIN ISLANDS CORAL REEF NATIONAL MONUMENT
1300 Cruz Bay Creek
St. John, VI 00831

SUPERINTENDENT'S COMPENDIUM

Approved by Penelope Del Bene, Superintendent

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CODE OF FEDERAL REGULATIONS TITLE 36, CHAPTER 1 Compendium of Designations, Closures, Requests, Requirements, and Other Restrictions Imposed Under the Discretionary Authority of the Superintendent

In accordance with applicable law and policy, and pursuant to the delegated authorities provided in Title 36, Code of Federal Regulations, Chapter 1 ("36 CFR"), the following compendium actions apply to all lands and waters administered by the National Park Service (NPS) within the boundaries of Virgin Islands National Park and Virgin Islands Coral Reef National Monument. This document is the written compilation of designations, closures, permit requirements and other restrictions imposed under the discretionary authority of the Superintendent, as required by 36 CFR 1.7(b). Violating any provision in this Compendium may result in criminal penalties under 36 CFR 1.3.

The compendium actions in this document apply in addition to all other laws that apply to lands and waters administered by the NPS within the boundaries of Virgin Islands National Park and Virgin Islands Coral Reef National Monument. These include:

Regulations in 36 CFR and other CFR titles such as Title 43, which contains regulations that apply on public lands administered by the Department of the Interior. The current version of the CFR can be found at www.ecfr.gov. Click on "Title 36" and then "Chapter 1" to access 36 CFR.

Statutes codified in U.S. Code, in particular provisions in Titles 16 and 54.

This Compendium is organized by the sections in 36 CFR that give the Superintendent discretionary authority to take the compendium action. Written determinations that explain why each compendium action is necessary appear in this document in italicized print.

Contents

INTRODUCTION TO THE COMPENDIUM	4
DEFINITIONS	5
36 CFR 1.5 - Visiting Hours, Public Use Limits, Closures and Area Designations, General Restrictions.	9
§ 1.6 (f) Activities that require a permit	14
36 CFR PART 2 – RESOURCE PROTECTION, PUBLIC USE AND RECREATION	15
§ 2.1 Preservation of Natural, Cultural, and Archeological Resources	16
§ 2.3 Fishing.....	16
§ 2.10 Camping and Food Storage.....	17
§ 2.13 Fires.....	18
§ 2.14 Sanitation	18
§ 2.15 Pets	18
§ 2.21 Smoking	19
§ 2.23 Recreation Fees.....	19
§ 2.35 Alcoholic Beverages	20
§ 2.51 Demonstrations and designated available park areas.....	20
§ 2.52 Sale or Distribution of Printed Matter	20
36 CFR PART 3 – BOATING AND WATER USE ACTIVITIES	21
§ 3.8 Vessel Operations	26
§ 3.9 Operating Personal Watercraft (PWC)	27
§ 3.12 Water Skiing or Similar Activities.....	27
§ 3.16, 3.17, Swimming and Bathing:	28
§ 3.18 Snorkel and Underwater Dive.....	28
36 CFR PART 4 – VEHICLES & TRAFFIC SAFETY	29
§ 4.12 Traffic control devices.	29
§ 4.13 Obstructing traffic.....	29
§ 4.21(b) Speeding.....	29
§ 4.30 Bicycles.....	29
36 CFR PART 5 – COMMERCIAL & PRIVATE OPERATIONS	30
§ 5.3 Business Operations.....	30
36 CFR PART 7 – SPECIAL REGULATIONS, AREAS OF THE NATIONAL PARK SYSTEM	30
APPENDIX A.....	31
Designated Area for Demonstrations and the Sale and Distribution of Printed Matter.....	31
APPENDIX B	32
VIIS/VICR Map.....	32

APPENDIX C	33
White Cliffs Temporary Resource Protection Closure	33
Appendix D	34
Caneel Bay Area	34

INTRODUCTION TO THE COMPENDIUM

The purpose of the compendium is to provide the public and park employees with a document that lists the special designations, closures, public use limits, permit requirements and other restrictions imposed under the discretionary authority of the Superintendent. The Superintendent's authority to implement these provisions is found in Title 36, Code of Federal Regulations (CFR), Section 1.5(a). The compendium is available to the public upon request. The compendium will be reviewed and updated annually to ensure adequate protection of the park's resources, provide for public safety and enjoyment, and to address changes in public use patterns.

The provisions found in this compendium constitute only one of many tools designed to manage and protect the Virgin Islands National Park and Virgin Islands Coral Reef National Monument (VIIS and VICR). ***It is important to utilize this document in conjunction with Title 36, Code of Federal Regulations, which includes the full text of National Park Service regulations, including those authorizing the provisions outlined in this compendium. Chapter I, Parts 1-7, of Title 36, include sections addressing resource protection, public use, recreation, boating, vehicle and traffic safety, commercial operations, and special regulations. These regulations are applicable on all federally owned lands and waters within the boundaries of Virgin Islands National Park, Virgin Islands Coral Reef National Monument, and on lands and waters under the administrative control of the National Park Service.***

In addition, certain regulations found within Title 36 are applicable on non-federally owned lands under the legislative jurisdiction of the United States. Interested parties may also wish to review the Virgin Islands National Park planning documents including the General Management Plan (1983), Foundation Document (2016), Resource Management Plan (1999), and Commercial Services Plan (2001).

It is the intent of this compendium, in conjunction with park brochures, maps, signs and other media, to provide a clear understanding of park rules and regulations.

For questions or comments, please contact VIIS_Superintendent@nps.gov.

DEFINITIONS

Annaberg Administrative Access Road - The road that runs from the Annaberg turnaround to the Annaberg ruins.

Beaches – Park and Monument beaches are defined as the area along the water’s edge and 50’ landward or seaward of the water’s edge at mean high tide, or to the first line of natural vegetation landward, whichever is greater.

Boat Exclusion Area – Area designated with white oblong buoys marked with "NO BOATS" and/or the international “boats keep out” symbol - an orange diamond with a cross in it. These areas are designated swimming or vessel exclusion areas by the Superintendent.

Cast Netting – The act of throwing a net from a boat or from the shoreline to capture bait fish.

CFR – Code of Federal Regulations.

Charter Vessel – Any vessel engaged in transporting passengers or goods for hire.

Cinnamon Bay Beach Administrative Access Road – The road that runs from Cinnamon Bay parking directly to Cinnamon Bay beach.

Commercial Group – Any for-fee tour group (including tour guide/operator).

Commercial Services – The providing of any goods, activities, services, agreements, or other function for park visitors that takes place at least in part on lands or waters managed by the NPS; use park resources; and result in compensation, monetary gain, benefit, or profit to the provider.

Commercial Use Authorization (CUA) – A written authorization from NPS to provide services to park area visitors under Section 418 of Public Law 105-391.

Commercial Vessel – Includes both National Operator of Uninspected Passenger Vessel (a.k.a “six-pack”) and multi-passenger day use sailboats, power boats, company dive vessels, crewed charter sailboats and power boats, and vessels associated with water sports operations. Excluded are bareboat (non-crewed) rentals.

Creque Marine Railway Wharf – The bulkhead located at the north end of Hassel Island at the end of the inclined railroad.

NPS Cruz Bay Bulkhead – The bulkhead running approximately south to north from the outlet of the Cruz Bay Creek toward the NPS Visitor Center.

Cruz Bay Finger Pier – The pier between the Virgin Islands National Park Visitor Center and Cruz Bay Creek.

Day Use – The use of a park area during hours when overnight stays are not permitted. A “day” is defined as the period from official sunrise to official sunset.

Dinghy: A small boat (16 feet or less) generally with a soft-bodied hull, carried or towed behind a larger boat as a tender or lifeboat.

E-bike – A two- or three-wheeled cycle with fully operable pedals and an electric motor of less than 750 watts (1 hp.).

Fishing (Commercial) – Any activity preparatory to, during, or subsequent to the taking, harvesting, holding, transporting, or off-loading marine species for sale or intended sale.

Fishing (Recreational) – Any activity preparatory to, during, or subsequent to the taking of any fish for personal use that is not intended to, nor results in the barter, trade, or sale of fish.

Lameshur Administrative Access Road - The road that runs from the Little Lameshur Bay ruins, north to the Lameshur Great House.

LOA – Length Overall, as defined in 50 CFR §679.2 is the centerline longitudinal distance, rounded to the nearest foot, measured between:

(1) The outside foremost part of the vessel visible above the waterline, including bulwarks, but excluding bowsprits and similar fittings or attachments, and

(2) The outside aftermost part of the vessel visible above the waterline, including bulwarks, but excluding rudders, outboard motor brackets, and similar fittings or attachments.

Bulwark means a section of a vessel's side continuing above the main deck.

Monument – Virgin Islands Coral Reef National Monument

North Side of St. John: Includes area between Cruz Bay and Haulover North.

NPS – National Park Service

Park – Virgin Islands National Park, including applicable portions of Hassel Island, Wintberg, and Red Hook grounds.

Personal Watercraft (PWC) – 33 CFR §174.3, means a vessel propelled by a water-jet pump or other machinery as its primary source of motive power and designed to be operated by a person sitting, standing, or kneeling on the vessel, rather than sitting or standing within the vessel's hull. This includes jet skis, go-boats, hydrofoils (EFOILS), motorized surfboards (jetboards), and other types of vessels mechanically propelled by a motor.

Park Waters – All waters and submerged lands within the boundaries of the Virgin Islands National Park and Virgin Islands Coral Reef National Monument.

Rafting – Two or more vessels tied off to one mooring and/or to one another. If one of the vessels is 16' feet LOA or less, it is not considered rafting.

Red Hook Administrative Facility – Road, structures, wharf and grounds located on St. Thomas.

Red Hook Wharf – The L-shaped docking area on the south side of Red Hook Harbor adjacent to the NPS property.

Rigid Device– Includes skim boards, boogie boards, surfboards, kayaks, stand up paddleboards, canoes and similar devices.

Salt Pond Administrative Access Road - The road that runs from the Salt Pond parking lot to Salt Pond Bay.

Skim boarding – A board sport which involves riding a rigid board on or near the beach.

South Side of St. John – Includes area from Cocoloba Point to Nanny Point.

Trunk Bay Beach Administrative Access Road - The road that runs from the Trunk Bay parking lot along the south side of Trunk Bay beach and to a private residence to the east of Trunk Bay beach.

Uncrewed Aircraft– A device that is used or intended to be used for flight without the possibility of direct human intervention from within or on the device, and the associated operational elements and components that are required for the pilot or system operator in command to operate or control the device (such as cameras, sensors, communication links). This term includes all types of devices that meet this definition (e.g., model airplanes, quadcopters, and drones) that are used for any purpose, including for recreation or commerce.

Unmanned Submersible – A device that is used or intended to be used for travel on or through the water without the possibility of direct human intervention from within or on the device, and the associated operational elements and components that are required for the pilot or system operator in command to operate or control the device (such as cameras, sensors, communication links). This term includes all types of devices that meet this definition (e.g. model boats, submarines, etc.) that are used for any purpose, including for recreation or commerce.

Vehicle – Means every device in, upon, or by which a person or property is or may be transported or drawn on land.

Vessel - Every description of watercraft, or other artificial contrivance used, or capable of being used, as a means of transportation on the water.

VIIS – Virgin Islands National Park, including applicable portions of Hassel Island, Wintberg and Red Hook grounds.

VICR – Virgin Islands Coral Reef National Monument

Additional definitions and terms applicable to restrictions, prohibitions, and conditions are found in Section 1.4, Title 36 of the Code of Federal Regulations and in approved planning documents. e.g. Commercial Services Plan.

36 CFR 1.5 - Visiting Hours, Public Use Limits, Closures and Area Designations, General Restrictions.

- The Superintendent may temporarily close park roadways, parking areas, facilities, waters, and all or portions of the park when such actions are deemed necessary to ensure public safety, protection of resources, or the avoidance of visitor use conflicts. The posting of signs, maps, media announcements, and the use of barricades and/or gates will identify such closures.

Determining Factors: For public safety, protection of resources, and/or the avoidance of visitor use conflicts.

- The Superintendent may temporarily prohibit swimming, snorkeling, and SCUBA at designated swimming beaches due to conditions making such activities unsafe for the public or when such activities would threaten park resources. Public will be notified by means which may include any or all of the following: flags, signage, official website advisories, press releases, etc.

Determining Factors: Weather conditions, water conditions, environmental impacts and other conditions may require certain locations to be closed for swimming, snorkeling, and SCUBA for safety precautions.

- Motorized vehicles may not enter the Red Hook Entrance Road except during normal business hours from 6:00 AM to 5:00 PM. A barrier gate will secure the roadway from 5:00 PM to 6:00 AM daily. The Superintendent may grant permission for use of the road at times other than normal business hours.

Determining Factors: The Red Hook facility does not provide park visitors with any services after 5:00 PM, and there are no personnel to monitor the grounds after 5:00 PM.

- The Caneel Bay Gate is open from 7:00 AM to 5:00 PM daily. Dinghies (16 feet or less) may access the beach to drop off and pick up passengers within a 30-foot corridor along the east side of the dock.

Determining Factors: Caneel Beach is open to the public as part of the phased reopening of the Caneel Bay area, in which only locations determined to be safe for public use are made accessible. While Caneel Beach has been cleared for visitation, other nearby areas remain closed due to ongoing health and safety hazards. To reduce risk to visitors and staff, the gate is open from 7:00 AM to 5:00 PM daily. The entrance gates close after operating hours to prevent entry into the area during periods when visibility decreases and safety risks increase.

- National Park Service offices, visitor centers, and contact stations are open for official business as posted on the respective buildings.

Determining Factors: Hours reflect park staffing capacity and operational needs. To ensure visitors still have access to essential information, park maps and brochures are available outside the Visitor Center during closed hours.

Visitor and Employee Motorized Vehicle Parking

- Designated motorized vehicle parking areas for visitors and employees at park headquarters and the visitor center are clearly marked by signage.
- Park Employees: Park employees shall only park in designated employee parking areas during duty hours and display a parking permit. If designated parking is full, employees may park in other spaces while displaying a parking permit. While off-duty, employees can park in these areas for a limited time. It is recommended that employees utilize the maintenance lot for long-term parking needs such as overnight travel and day trips to surrounding islands.
- Visitor Parking: Visitors shall park only in the designated one-hour visitor parking areas for no longer than one (1) hour while visiting the Visitor Center. Visitors may use remaining visitor parking for day-use activities when issued a temporary permit to use terrestrial park areas. Day-use parking is specifically for activities such as:
 - a. Walking to park trails
 - b. Participating in a park program
 - c. Using the NPS Cruz Bay playground or ball field

Restrictions: Parking in these areas is always prohibited for marine users.

Determining Factors: Visitor and employee parking have been identified by signage to provide adequate space for park visitors and employees.

- Trunk Bay, Honeymoon, Cinnamon Bay, Salt Pond, Annaberg, and Lameshur administrative access roads are closed to public vehicular traffic.

Determining Factors: There are no designated public parking areas beyond the Trunk Bay, Honeymoon, Cinnamon Bay, Salt Pond, and Lameshur public parking areas or the Annaberg turnaround. The administrative access roads are for government and other vehicles conducting official business and homeowners and their guests who need to use the road to access their property or provided a pass approving access. Excessive vehicles create a safety issue for vehicle maneuvering, emergency response, and pedestrians.

- Entry to Cinnamon Bay Campground campsites and roads, except for the main Cinnamon Bay beach administrative access road, is only allowed for registered campground guests and those persons authorized by the Superintendent and/or for campground management.

Determining Factors: This closure is to prevent disturbance of registered campers.

- The following facilities, access roads and associated grounds are closed to the public:
 - a. Cinnamon Bay reverse osmosis plant
 - b. Cinnamon Bay sewage treatment plant
 - c. Trunk Bay reverse osmosis plant
 - d. Cruz Bay maintenance yard
 - e. Inside fee collection booths
 - f. Employee housing areas, including Lind Point residences, Lyne House, Trunk Bay House, Little Cinnamon Bay residences, Island Fancy, Little Maho,

Montague House, Callahan House, Mandahl House, and Lameshur House.

Determining Factors: These areas are not visitor use areas. They include work locations that contain secure information, heavy and dangerous equipment, and employee housing areas that have a right to privacy.

- The NPS Firearms Range is closed to public access and use, except that the Superintendent may grant permission for use by local area and federal law enforcement personnel for training purposes.

Determining Factors: This area is not a visitor use area. This area is used by commissioned law enforcement officers to train with their firearms. Public safety will be top priority.

- The White Cliffs Land Area is temporarily closed to protect the rare plant Earhart's Stopper (*Eugenia earhartii*). Location: The designated temporary closure is delineated as follows (See Appendix C for map):
 - a. South of Lameshur Bay Trail
 - b. West of Europa Bay Trail
 - c. East of Reef Bay Trail/Reef Bay Sugar Mill
 - d. The shoreline connecting Reef Bay Trail to Europa Bay Trail
 - e. Access to the closed area is prohibited along the shoreline between Reef Bay and Europa Bay. The southern boundary is closed to all forms of terrestrial and marine access, including hiking, climbing, and rock climbing. While the actual shoreline remains open for passage, no access is permitted inland from the shore.

Determining Factors: The temporary closure is necessary to protect a territorially endangered and endemic plant species whose global population consists of only a few hundred individuals. Repeated unauthorized trail creation and vegetation cutting in the area have resulted in damage to this and other rare plants, some of which grow at a rate of less than half a millimeter per year and are estimated to be over 500 years old. In addition to direct harm to sensitive vegetation, unauthorized trail-making facilitates the movement of exotic wildlife, promotes the spread of non-native seeds, and increases sedimentation into adjacent wetlands located on both the east and west sides of the closed area. There are no designated NPS trails within the closure area.

- Balloons: All areas of the park and monument are closed to the sale or use of latex or mylar balloons.

Determining Factors: This restriction is necessary to prevent the intentional or unintentional release of balloons. Balloons pose a significant threat to scenic and environmental values as they eventually return to the earth. Balloons can injure or kill marine and terrestrial wildlife through entanglement, accidental ingestion (as they are often mistaken for food), and contribute to environmental degradation and litter pollution. As a result, these restrictions are in place to protect wildlife and preserve the park and monument's natural beauty.

- Eating and drinking are prohibited in the Park's Visitor Center, Archives building, public restrooms, laboratories, and within/on historic structures.

Determining Factors: These are not appropriate areas for food and drink. Picnic areas

are provided outside these areas.

- Land-based commercial groups are restricted to the following locations unless specifically authorized by permit:
 - a. Trunk Bay
 - b. Cinnamon Bay, in the restaurant area including the store, restrooms, and reception area. Facilities located within the campground and beach are closed to commercial tour groups.
 - c. Annaberg Factory grounds.

Determining Factors: The VIIS Commercial Services Plan has identified these locations as appropriate due to the facilities and services available to accommodate for land-based commercial groups.

- Public nudity is prohibited within VIIS and VICR.

Determining Factors: Public nudity is not appropriate for the varying ages of park visitors and is inconsistent and contrary to/with the cultural norms of the island.

- Launching, landing, or operating an uncrewed aircraft from or on lands and waters administered by the National Park Service within the boundaries of VIIS and VICR is prohibited except as approved in writing by the Superintendent.

The term "Uncrewed Aircraft" is a device that is used or intended to be used for flight in the air without the possibility of direct human intervention from within or on the device, and the associated operational elements and components that are required for the pilot or system operator in command to operate or control the device (such as cameras, sensors, communication links). This term includes all types of devices that meet this definition (e.g., model airplanes, quadcopters, and drones) that are used for any purpose, including for recreation or commerce.

This restriction is necessary to prevent unacceptable impacts to park resources and values from the use of uncrewed aircraft. Potential impacts include disturbance to visitors, creating public safety risks, disturbing wildlife, interfering with park operations, causing excessive noise, and impacting viewsheds. NPS Reference Manual #60: Aviation Management, Chapter 12 – Uncrewed Aircraft Systems.

- The following offshore cays are closed to pedestrian and motorized traffic:
 - a. Cocoloba Cay
 - b. RamGoat Cay
 - c. Rata Cay
 - d. Trunk Cay
 - e. Cinnamon Cay
 - f. Whistling Cay

Determining Factors: Climbing onto rocky cays within Virgin Islands National Park is prohibited because it poses significant safety hazards to visitors and causes resource damage. These cays are surrounded by fragile coral reef habitats, and any attempt to access them can result in illegal destruction of coral, which is protected under federal law. Additionally, during certain times of the year, these areas serve as critical nesting and resting sites for migratory and resident bird species. Disturbance to these habitats

can negatively impact bird populations and the overall ecological balance of the park. This restriction ensures visitor safety, prevents injury from sharp, unstable surfaces, and protects sensitive marine and avian resources in compliance with conservation mandates.

- Stapling, nailing, tying, or attaching of any material to any natural features (including but not limited to rock formations), vegetation (living or dead), NPS Facilities, structures, walls, or signposts is prohibited.

Determining Factors: Stapling, nailing, tying or attaching anything (including vessels) to trees, vegetation, (living or dead) is harmful to the resource and the wildlife that use that resource. Attaching items in any way to NPS facilities can damage built structures, deliver unapproved messaging, and deface and damage cultural resources.

- Use of underwater lights (i.e. underwater vessel lights, deck lights pointed down, etc.) other than handheld dive lights, are prohibited in VIIS and VICR waters.

Determining Factors: Underwater and bright deck lights create unnatural conditions that disrupt marine species' behavior, including protected species such as sea turtles. These lights attract marine life and predators, increasing predation and may contribute to causing ecological imbalances.

- Vessel bottom/Hull Cleaning and power washing is prohibited within waters and boundaries of VIIS and VICR.

Determining Factors: This prohibition is necessary to prevent the release of toxic substances into park waters, protect sensitive marine ecosystems, and comply with international and U.S. regulations banning tributyltin (TBT)-based antifouling paints. Bottom paint historically contains copper and (TBT) which are anti-foulants that function as biocide, disrupting growth and reproduction of marine organisms. TBT is highly toxic to marine life even at very low concentrations.

- Sunscreens containing Oxybenzone, Octinoxate, and Octocrylene are prohibited within VIIS, VICR, and throughout the Territory of the U.S. Virgin Islands.

Determining Factors: These chemicals, commonly found in many commercial sunscreens, have been scientifically proven to harm coral reef ecosystems by contributing to coral bleaching, DNA damage, and impaired reproduction—even at extremely low concentrations. They can also create “zombie coral,” which appears healthy but cannot reproduce, threatening long-term reef survival. Coral reefs are critical to the ecological health and economic vitality of the U.S. Virgin Islands, providing habitat for marine life, protecting shorelines, and supporting tourism-based economies.

- The use or possession of spearfishing equipment is prohibited within Virgin Islands National Park. Spearfishing gear may only be transported through park waters if completely disassembled.

Determining Factors:

Spearfishing can significantly harm marine resources by reducing reef fish populations and causing damage to coral habitats and submerged cultural features. These impacts

conflict with the park's purpose to protect fragile ecosystems essential for biodiversity and shoreline resilience. For this reason, spearfishing is prohibited. The only exception is for individuals specially trained and in possession of permits to remove invasive lionfish, who may use approved Hawaiian slings solely for that purpose.

§ 1.6 (f) Activities that require a permit

The following activities are prohibited without a permit. Criteria for approving or denying permits are established by applicable law (statutes and regulations) and policy. Permitted activities are subject to applicable terms and conditions.

- **36 CFR 1.5** -
 - Entering closed areas
 - Launching or landing uncrewed aircraft
- **36 2.1(7)** - Possessing or using a mineral or metal detector, magnetometer, side scan sonar, other metal detecting device, or subbottom profiler.
- **36 CFR 2.5** - Specimen collection for research purposes
- **36 CFR 2.10** - Camping outside designated areas
- **36 CFR 2.50** - Special events
- **36 CFR 2.51** - Conducting a demonstration by groups of more than 25 people (see Appendix A for location of designated area)
- **36 CFR 2.52** - Selling or distributing printed matter and other message-bearing items by groups of more than 25 people (see Appendix A for location of designated area)
- **36 CFR 2.62** - Scattering of human ashes from cremation
- **36 CFR 3.19** - Operation of Submersibles (manned or unmanned)
- **36 CFR 4.11** - Exceeding vehicle load, weight, and size limits (federal regulations adopt Territory traffic laws)
- **36 CFR 5.1** - Displaying, posting, or distributing commercial notices or advertisements
- **36 CFR 5.3** - Engaging in or soliciting any business
- **36 CFR 5.4** - Commercial passenger-carrying motor vehicles
- **36 CFR 5.7** - Constructing or attempting to construct any building, structure, road, trail, path, or utility
- **43 CFR 3** - Examining ruins, excavating archeological sites, and gathering of objects of antiquity
- **43 CFR 7** - Excavating or removing archeological resources
- **54 U.S.C. 100905** - Some filming, still photography, and audio recording (depends upon the facts and circumstances; contact the park for more information). 36 CFR 1.5(a)(2) and 54 U.S.C. 100905.

Determining Factors: The activity authorized by a permit shall be consistent with applicable legislation, Federal regulations and administrative policies, and based upon a determination that public health and safety, environmental or scenic values, natural or cultural resources, scientific research, implementation of management responsibilities, proper allocation and use of facilities, or the avoidance of conflict among visitor use activities will not be adversely impacted.

Filming, Photography, and Audio recording

Filming, still photography, and audio recording activity may require a permit, consistent with 54

U.S.C. 100905.

Filming, still photography, and audio recording activity that occurs in closed areas, requires exclusive use of a site or area, or involves a set or staging equipment other than handheld equipment (such as a tripod, monopod, and handheld lighting equipment) requires a permit, unless the activity is affiliated with an activity or event that has been allowed under a written authorization, such as a special use permit.

Filming, still photography, and audio recording that involves more than eight individuals requires a permit, unless the NPS has specifically notified an individual or group that a permit is not required, or if the activity is affiliated with an activity or event that has been allowed under a written authorization, such as a special use permit.

If a permit is required for the reasons stated above, or if the NPS otherwise determines and then notifies an individual or group that a permit is required for a filming, still photography, or audio recording activity, then engaging in that activity without a permit is prohibited. Violating a term or condition of a permit issued by the NPS for a filming, still photography, or audio recording activity is prohibited, and may result in the suspension or revocation of the permit, in addition to any penalties that may apply under 36 CFR 1.3.

Federal law at 54 U.S.C. 100905 states that permits and fees are not required for filming, still photography, or audio recording in park areas if certain requirements are met. These requirements address various topics, including, but not limited to, group size, location, equipment, potential impacts to resources and visitors, and the likelihood that the NPS will incur related administrative costs. If any of these requirements are not met, the law allows the Secretary of the Interior, acting through the NPS, to require a permit for the subject activity. Permit requirements are imposed by the superintendent under discretionary authority provided by 36 CFR 1.5(a)(2), which allows the superintendent to impose conditions or restrictions on a use or activity, consistent with applicable legislation, to implement management responsibilities. The general regulations for permits in 36 CFR 1.6 do not apply to permits issued for filming, still photography, and audio recording, which instead are governed by the statutory provisions in 54 U.S.C. 100905. The imposition of permit requirements, on a case-by-case basis, for filming, still photography, or audio recording does not require rulemaking under 36 CFR 1.5(b). Requiring a permit with reasonable terms and conditions in accordance with statutory requirements at 54 U.S.C. 100905 is not highly controversial, will not result in a significant alteration in the public use pattern of the System unit, will not adversely affect the System unit's natural, aesthetic, scenic or cultural values, or require a long-term or significant modification in the resource management objectives of the System unit, because the permit requirement is limited in time and scope to the specific activities authorized by the permit, which contain terms and conditions that protect the values, resources, and visitors of the System unit, and implements federal law.

36 CFR PART 2 – RESOURCE PROTECTION, PUBLIC USE AND RECREATION

§ 2.1 Preservation of Natural, Cultural, and Archeological Resources

- **2.1 (a) (4)** prohibits use or possession of wood gathered from within the park area. However, dead and down wood may be collected from areas below high tide line along shorelines for use as fuel within NPS grills.

Determining Factors: Protects natural resources by preventing habitat and nutrient loss; limited exception for dead and down wood for use as fuel in NPS grills balances visitor use with conservation.

- **2.1(b)** Visitors are prohibited from deviating from designated trails or walkways to create shortcuts between segments of the same trail or to access adjacent trails or walkways. Additionally, the use of tools or other objects to cut, clear, or remove vegetation for the purpose of traversing through undeveloped areas of the forest is strictly prohibited.

Determining Factors: This regulation minimizes the potential impact on natural and cultural resources due to the creation of social trails and unauthorized vegetation cutting, while providing increased visitor safety.

- **36 CFR 2.1(c)(1)**, The Superintendent may designate certain fruits, berries, nuts, or unoccupied seashells which may be gathered by hand for personal use or consumption upon a written determination that the gathering or consumption will not adversely affect park wildlife, the reproductive potential of a plant species, or otherwise adversely affect park resources. The following may be taken but **does not** include taking of unoccupied seashells.

Coconuts
Limes
Mammey Apples
Soursop
Hog Plums
Papayas
Mangoes
Genips
Guavas
Sweet Limes

Sugar apples
Seagrapes
Calabash
Plant seeds (from non-Federally listed species only)
Guava berries
Salt
Hoop vine and Wisp vine

Determining Factors: These restrictions are necessary for visitor and resource protection, the preservation of park resources, and to minimize conflicts among visitors. Additionally, many of these species are exotic to the island. For the native species, most are prolific and collection will not have impact on the populations.

§ 2.3 Fishing

- Fishing is prohibited at the following locations/times:
 - a. Between 6:00 AM and 5:00 PM, at the NPS Finger Pier (hand-held rod and line only)
 - b. At all times at the NPS Cruz Bay Bulkhead adjacent to the park's Headquarters and

Visitor Center

- c. Within all designated boat exclusion areas, except for the purpose of cast netting for bait fish
- d. Within mooring fields
- e. From any VIIS/VICR moorings, except hardnose fishing is permitted in VICR at the yellow fishing mooring buoys at Cabritte Horn Point
- f. Territorial fishing regulations apply within VIIS waters
- g. VICR waters are a no take zone, except for baitfish, by cast net only, and hardnose fish while fishing from the designated fishing mooring buoys. No take includes catch and release.

Determining Factors: Fishing is prohibited at the NPS Cruz Bay Bulkhead because it interferes with park operations and poses safety and environmental risks. The designated boat exclusion zones serve as resource protection areas and swimming areas, making fishing incompatible with their intended use. Fishing from moorings or dock areas can lead to lines, hooks and other fishing gear becoming entangled in mooring components and vessel propellers, creating hazards and causing damage to property. Additionally, discarded fishing line can entangle marine life and birds, impacting the ecosystem.

§ 2.10 Camping and Food Storage

- Camping is permitted only in established and marked campsites within the Cinnamon Bay Campground area, and only during campground operational period, which is November 1st through August 31, annually.

Determining Factors: Cinnamon Bay Campground is the only designated location for camping within VIIS.

- The Cinnamon Bay Campground maximum length of stay is fourteen (14) consecutive days from December 1st through April 15th, and 30 nights maximum per calendar year. The Superintendent may modify the length of stay limits and dates based on seasonal demand, occupancy levels, and resource protection.

Determining Factors: Length of stay limits ensure opportunities for other prospective camping visitors and for the protection of park resources.

- Motorized generators may not be operated in the campground, on beaches, pavilions, associated walkways or parking lots.

Determining Factors: Generator noise is counter to the semi-wilderness atmosphere sought by many campers and beachgoers, and the rights of visitors to peaceful enjoyment of the resources, including the natural soundscape.

- Food shall be stored in a manner to prevent wildlife from seeking out and/or consuming food. Food storage regulations as specified in 36 CFR 2.10(d) apply in park campgrounds, picnic areas, and parking lots.

Determining Factors: Food scents attract animals. Feeding wildlife (intentional or unintentional) or engaging in activities that cause animals to associate humans with food (food conditioning) is prohibited and can lead to illness, malnutrition, loss of natural fear of humans, and aggressive behavior. Conditioned animals may damage property or pose safety risks, potentially resulting in their relocation or euthanasia. To protect both wildlife and visitors, all

individuals must avoid feeding animals and allow them to rely on natural food sources.

§ 2.13 Fires

- Fires may only be built in NPS provided grills or in portable grills designed to contain combustible material. Ground fires are prohibited.

Determining Factors: The use of open fires in the park is regulated to protect human life, structures and natural resources.

- **2.13(a)(1) - CONDITIONS ON LIGHTING OR MAINTAINING FIRES**

A fire may be ignited and maintained only by using fuel sources designed and commonly used for warmth or the preparation of food, such as charcoal briquettes or natural firewood. Lighting or maintaining a fire with other materials including, but not limited to, flammable liquids, garbage, fireworks, plastics, aerosol canisters, batteries, or other manufactured or synthetic materials, is prohibited.

This action is necessary for the maintenance of public health and safety, protection of environmental or scenic values, protection of natural or cultural resources, and the implementation of management responsibilities. Materials other than approved combustibles – especially fire accelerants and substances prone to wind transport or explosion – creates serious risks when used to light or maintain fires. These combustibles can ignite or spread wildfires that directly threaten people and valuable resources and assets. The burning of manufactured or synthetic materials can contribute to air pollution, contaminate soil and water, and be toxic to humans and the environment. Less restrictive measures, such as an education campaign informing visitors of the risks of using certain materials to light or maintain a fire, would not be commensurate with the substantial risks associated with those activities and could lead to adverse outcomes that might be prevented by establishing an enforceable condition.

§ 2.14 Sanitation

- Disposal of household and boat trash within the park is prohibited. Leaving trash and debris is also prohibited at/on floating pay stations.

Determining Factors: Refuse receptacles are available at many beach locations. Visitors are requested to use these receptacles in a conservative manner. Leaving trash outside receptacles for any reason is prohibited. The purpose of the trash receptacles is to keep the beaches clean, not for commercial operators or residents to dispose of household, business, or vessel trash.

- Disposal of fish remains on land, or in waters within 200 feet of boat docks or designated swimming beaches, or within developed areas, except as otherwise designated.

Determining Factors: Disposing of fish and/or bait remains is prohibited because it creates health and sanitation concerns, attracts wildlife to high-use areas, and degrades the visitor experience. Fish waste in these locations can also negatively impact water quality and increase the risk of wildlife conflicts.

§ 2.15 Pets

- (a)(1) Leashed and attended pets are permitted on established trails. Leashes shall not exceed six feet (6') in length.

- Pursuant to 36 CFR § 1.5(a)(1), pets are prohibited on all beaches and in designated swimming areas within the park.

Determining Factors: This restriction is necessary to protect public health and safety, reduce potential conflicts between pets and visitors, and preserve the natural condition of beach and aquatic environments. Pets can introduce bacteria into water sources, disturb wildlife, and negatively impact the visitor experience. Additionally, the presence of pets in swimming areas may pose safety risks to both animals and people. Exceptions: This restriction does not apply to service animals as defined by the Americans with Disabilities Act (ADA). Service animals must always be under control and may be restricted from certain areas if their presence poses a direct threat to the health or safety of others.

- (a)(5) Pet handlers are responsible for immediately picking up, removing, and disposing of all pet excrement in all areas.

Determining Factors: This restriction is necessary to protect public health, preserve the cleanliness of park areas, and prevent environmental degradation. Pet waste can carry harmful bacteria and parasites that pose risks to both humans and wildlife. Requiring pet handlers to immediately pick up and properly dispose of pet excrement helps maintain sanitary conditions on trails, campgrounds, and other public use areas, ensuring a safe and enjoyable experience for all visitors.

- Park residents may keep pets in accordance with park housing policy and 36 CFR 2.15.

Determining Factors: Park tenants are required to adhere to the park's Housing Policy.

§ 2.21 Smoking

- Smoking (including e-cigarettes and vaping devices) is prohibited as follows:
 - a. Within interior portions or within 50 feet of any NPS building
 - b. On beaches, or within 50 feet of pavilions, picnic tables, playgrounds, ball fields, taxi stands, or restrooms
 - c. Within 50 feet of a gas pump or flammable materials storage area
 - d. At locations posted as no smoking areas

Determining Factors: This regulation is necessary to protect park resources, reduce the risk of fire, or prevent conflicts among visitor use activities.

- The Superintendent may restrict smoking and/or any exposed flame in all or any portion of the park during periods of high fire danger.

Determining Factors: The Superintendent may restrict smoking in the park to prevent wildland fires and to protect park resources.

§ 2.23 Recreation Fees

- Expanded amenity fees are collected at Trunk Bay. Entering this area by land or water without paying the required fee is prohibited except during periods when the fee collection facility is closed and/or fees are suspended by the order of the Superintendent.

Determining Factors: Fees are collected to provide increased visitor services such as potable water, restroom facilities, and showers.

- All vessels must pay an overnight fee when mooring or anchoring in the park between 5:00 P.M. and 7:00 A.M. This includes overnight use of stationary positioning systems within designated anchorage areas of Lind Point and Francis/Maho Bay. Fees must be paid upon a vessel's arrival at the mooring or anchorage.

Determining Factors: Fees are collected to provide mooring maintenance, increased visitor services, and support resource protection studies and programs and are consistent with the guidance in the Federal Lands Recreation Enhancement Act (FLREA).

§ 2.35 Alcoholic Beverages

- Consumption of alcoholic beverages or the possession of an open alcoholic beverage container is prohibited as follows:
 - a. Within NPS visitor centers
 - b. While operating or riding in a motor vehicle within park boundaries consistent with 36 CFR 2.35, 4.14, and 4.23
 - c. While operating a vessel within park boundaries consistent with 36 CFR 2.35, 3.10 and 3.11
 - d. While participating in an interpretive activity such as a guided hike or interpretive program

Determining Factors: This restriction is necessary to promote public safety, preserve the integrity of park operations, and ensure a respectful and family-friendly environment. The consumption or possession of open alcoholic beverages in visitor centers, vehicles, vessels, and during interpretive programs can impair judgment, increase the risk of accidents, and disrupt the experience of other visitors. These areas and activities require attentiveness, responsibility, and respect for shared spaces and educational programming. The restriction aligns with 36 CFR § 2.35, 3.10, 3.11, 4.14, and 4.23, which govern alcohol use and public conduct within national park boundaries.

§ 2.51 Demonstrations and designated available park areas

- The following location adjacent to the Cruz Bay Visitor Center is designated as available for demonstrations. A permit is not required for a demonstration in the designated location if it involves 25 persons or fewer and does not involve structures. See Appendix A for map.

Determining Factors: The designated location is in a prominent location near the visitor center that will allow individuals and groups to conduct demonstrations in a manner that will allow for effective communication of speech and other protected activities. At the same time, the designated location leaves ample space for visitors to enter and leave the visitor center safely and for the NPS to maintain continuity of operations.

§ 2.52 Sale or Distribution of Printed Matter

- The following location adjacent to the Cruz Bay Visitor Center is designated as available for the sale or distribution of printed matter, and the free distribution of other message-bearing items. A permit is not required for a demonstration in the designated location if it involves 25 persons or fewer and does not involve structures. See Appendix A for map.

Determining Factors: The designated location is in a prominent location near the visitor center that will allow individuals and groups to conduct demonstrations in a manner that will allow for effective communication of speech and other protected activities. At the same time, the

designated location leaves ample space for visitors to enter and leave the visitor center safely and for the NPS to maintain continuity of operations.

36 CFR PART 3 – BOATING AND WATER USE ACTIVITIES

GENERAL:

- Stationary positioning systems may not be used anywhere in VIIS or VICR, except in the Lind Point anchorage (for vessels up to 125 feet in length) and the Francis Bay anchorage (for vessels up to 210 feet in length). Only vessels that meet these length limits may use stationary positioning systems in those designated areas.

Determining Factors: Use of these systems prevent the need to drop anchor, however, impacts from potentially larger numbers of visitors to any given area will impact and degrade the resources and visitor experience.

- The following areas are closed to Commercial Group access from any type of commercial vessel:
 - a. The portion of Hawksnest Bay adjacent to the NPS-designated beach area, along with other portions of the bay to the west (Caneel/Hawksnest area) and to the east (Gibney/Oppenhimer Beach area)
 - b. Denis Bay
 - c. Jumbie Beach
 - d. Francis Bay Beach
 - e. Mary's Creek, except for authorized SCUBA diving operations
 - f. Brown Bay
 - g. NPS Portion of Haulover Bay, except for authorized SCUBA diving operations
 - h. All bays on the south shore without moorings

Determining Factors: Per the Commercial Services Plan, these areas are closed to group access from any type of commercial vessel due to the sensitive natural resources and/or infrastructure able to safely support such groups and activities. Additionally, locations such as Hawksnest Bay, Francis Bay Beach, Gibney/Oppenhimer, and adjacent shoreline segments receive extremely high levels of noncommercial, land-based visitation. Commercial group disembarkation in these areas exacerbates congestion on narrow beaches, conflicts between commercial and noncommercial users, and reduces visitor enjoyment and access equity.

- **Anchoring/Moorings**

Three locations are provided as anchorages within VIIS as follows, only if mooring is not available for the specific vessel size:

- a. Cruz Bay 3 Hour Zone for vessels up to 60' LOA
- b. Lind Point anchorage for vessels up to 125' LOA
- c. Francis/Maho Bay anchorage for vessels up to 210' LOA

Determining Factors: Anchoring negatively impacts the seafloor, so to limit unacceptable impacts while still encouraging visitation, these anchorage areas have been designated for use only if moorings are not available for your size vessel.

- Anchoring is prohibited within VICR. However, to support vessel owners during hurricane season (June 1–November 30), anchoring is permitted only in association with a Hurricane Hole storm berth (no cost) mooring permit. These permits are issued by the NPS through a lottery system and are available for vessels with a LOA of up to 60 feet. Permits must be renewed

annually, and a limited number of berths are offered prior to the start of each hurricane season.

- Use of Hurricane Hole is allowed only when the area has been officially opened by the Park Superintendent in advance of a storm. Mariners must not secure their vessels—either fully or partially—to vegetation, rocks, NPS moorings or hardware, or the historic anchor located in Otter Creek.
- Only mariners with an active berth permit are authorized to use the storm chain or any associated components to secure their vessels.

Determining Factors: The mangrove habitat in Hurricane Hole provides protective and ecologically important habitat for many terrestrial and marine organisms. To reduce anchor damage and protect shoreline mangroves and other vegetation within the four bays of Hurricane Hole, a storm refuge system has been installed for up to 100 vessels with lengths up to 60 feet LOA.

- **Vessels with LOA greater than 210 feet** are prohibited from anchoring or mooring within VIIS or VICR waters. These vessels must be making way (moving) and not just under way (engine running non-moving).

Determining Factors: The Park does not have the facilities or services available to accommodate vessels of this size. Vessels over 210 feet have the potential to cause substantial damage to the park's underwater resources.

- **Private vessels with LOA between 126 feet and 210 feet** are allowed to anchor in Francis/Maho Bay, in sand seaward of mooring areas and at depths greater than fifty (50) feet. Vessels must be more than 300 feet from any park buoy, and west-southwest of the mooring field and of the line created between GPS points: 18°22'0" N, 64°45'5" W and 18°21'36" N, 64°45'3" W. These vessels are prohibited from using NPS moorings. These vessels can use their stationary positioning systems in the Francis anchorage.

Determining Factors: The Park does not have mooring facilities or services available to accommodate vessels of this size. These areas have been identified where vessels of this size will do the least amount of resource damage.

- **Commercial vessels with LOA greater than 125 feet** are prohibited from anchoring, mooring, or using stationary positioning systems within VIIS/VICR waters.

Determining Factors: The Park does not have the facilities or services available to accommodate commercial vessels of this size and their guests. Commercial vessels over 125 feet and their number of guests have the potential to cause extensive damage to submerged marine resources.

- **Vessels with LOA between 101 feet and 125 feet** seeking anchorage in VIIS, are restricted to the designated anchorage at Francis/Maho Bay or the Lind Point “box” anchorage as specified below. This size vessel is prohibited from using NPS provided moorings or stationary positioning outside of these anchorages.

The Lind Point “box” anchorage is designated by the following GPS Coordinates:

LAT_DMS

LONG_DMS

1)	18° 20' 23"	-64° 47' 48"
2)	18° 20' 23"	-64° 48' 08"
3)	18° 20' 34"	-64° 48' 08"
4)	18° 20' 34"	-64° 47' 48"

Determining Factors: Vessels greater than 100 feet LOA are not permitted to use NPS moorings and must avoid entanglement with the moorings or striking other vessels on moorings.

- **Vessels with LOA greater than 60 feet and less than or equal to 100 feet** are prohibited from anchoring and must use established moorings provided for vessels 61 to 100 feet LOA, except for in the Lind Point “box” anchorage or Francis/Maho Bay anchorage as referenced above. Purple moorings have been installed at the following locations to accommodate these vessels:
 - a. Lind Point/Caneel Bay
 - b. Hawksnest Bay
 - c. Francis Bay
 - d. Maho Bay
 - e. Leinster Bay
 - f. Great Lameshur Bay
 - g. Princess Bay (Day Use Only).

Determining Factors: Large vessel moorings play a key role in enhancing safety, improving operational efficiency, and minimizing environmental impact. To accommodate vessels of various sizes while reducing the negative effects of anchoring and other environmental stressors, VIIS/VICR has strategically installed “big boat” moorings throughout the VIIS.

- **Vessels with an LOA of 60 feet or less** are prohibited from anchoring and must use established moorings (white with blue stripe). When all the applicable moorings in Caneel Bay or Francis/Maho Bays are occupied, this size vessel may utilize the Lind Point “box” or Francis/Maho anchorages as specified above. A vacant mooring rated and identified for vessels 61 to 100 feet can be used, but smaller vessels must yield use to an appropriately sized larger vessel when requested and safe to do so.

Determining Factors: Anchoring too close to moorings and regulatory buoys may cause damage to moorings, buoys from vessel anchors and anchor rode. The provision is granted to facilitate a safe and accessible marine operation.

- **The three (3) hour Cruz Bay anchorage, adjacent to the NPS boat ramp, is available for vessels with a LOA of 60 feet or less.** Hours of authorized anchoring are from 6:00 AM to 6:00 PM. Overnight anchoring in this area is prohibited.

Determining Factors: Due to limited space and water depth, this area is restricted to vessels 60 feet or less. A maximum stay of 3 hours has been identified to allow the high influx of boaters to share this area to access Cruz Bay and local public services. Overnight anchoring is prohibited due to significant tide swings as well as the proximity to maintained navigation channel.

- Anchoring in Mary’s Creek, or any VIIS waters, to ride out inclement weather with anticipated wind speeds of 40 mph or greater is prohibited.

Determining Factors: Tropical storm/hurricane events are typically known in advance, prudent

mariners are advised to plan, especially during the Caribbean hurricane season (June 1 – November 30). VIIS and VICR moorings are rated for use in wind speeds less than 40 mph, and vessels are prohibited from using them OR anchoring in the Francis Bay and Lind Point designated anchorages. This anchorage prohibition protects the mooring systems from failure and prevents anchored vessels from dragging outside of the anchorage, impacting submerged resources, and crashing into the island or sinking.

- NPS moorings and dinghy tethers must be vacated when winds of 40 miles per hour, or greater, are forecasted for the area.

Determining Factors: When vessels use the moorings during high wind speeds, the increased force on the boats from the wind adds extra tension on the mooring system. This additional strain weakens the system and causes damage to and increases the likelihood of failure of the mooring components.

- Securing vessels to the NPS Finger Pier, Cruz Bay Creek bulkhead, Great Lameshur Bay pier, NPS bulkhead at the Red Hook Administrative Facility, Careening Cove bulkhead and Creque Marine Railway Bulkhead at Hassel Island is prohibited during inclement weather with anticipated wind speeds of 40 mph or greater.

Determining Factors: Tropical storm/hurricane events are typically known in advance, prudent mariners are advised to plan, especially during the Caribbean hurricane season (June 1 – November 30). These facilities are not designed to support vessels in these weather conditions. These facilities may also be used for emergency services before, during and after inclement weather and must be accessible at all times.

- NPS moorings shall not be modified by any user. Setting of anchors is prohibited while on NPS moorings. Securing vessels to moorings using stern cleats is prohibited.

Determining Factors: The moorings were installed to eliminate the use of anchors for the protection of underwater resources and to prevent damage to the mooring systems.

- Vessels on moorings and utilizing a second vessel greater than 16 feet LOA as a tender, must have a combined LOA of the two vessels not greater than the mooring rating, either less than 60 feet or less than 100 feet LOA.

Determining Factors: The mooring systems are designed and rated for a maximum LOA of 60 or 100 feet. Exceeding these ratings with a combined LOA increases the risk of system failure. This management practice maximizes the protection of underwater resources since utilizing mooring buoys dramatically lessens the impact of the anchor tackle.

- Day-Use-Only Moorings are at the following locations:
 - a. All VICR moorings
 - b. All red SCUBA moorings throughout VIIS waters
 - c. Genti Bay
 - d. Henley Cay
 - e. Reef Bay
 - f. Ram Head
 - g. Whistling Cay

Determining Factors: Their primary purpose is to provide daytime access to otherwise remote

areas with marine resources. These locations are relatively exposed and remote and frequently experience extremely strong currents. Hazards associated with this current may be greater when darkness hampers rescue operations.

- SCUBA/snorkel moorings, identified by red buoys, are designated for day-use only by vessels with occupants actively engaged in SCUBA diving or snorkeling. Use by other vessels is prohibited. All SCUBA/snorkel moorings are limited to vessels under 60 feet in LOA.

Determining Factors: Red moorings have been installed in areas of reef with dive/snorkel opportunities. These areas are typically more exposed to the weather and therefore are not for overnight use. SCUBA moorings tend to be in relatively exposed locations where sea conditions easily place a greater strain on the anchor system.

- Blue moorings designated for Commercial Use Authorization (CUA) holders may be used by any vessel up to 60 feet in LOA. Between 8:00 AM and 5:00 PM, non-CUA vessels may use these moorings, but must vacate the mooring upon request by a CUA permit holder. Overnight use (5:00 PM to 8:00 AM) is permitted for any vessel up to 60 feet LOA.

Determining factors: CUA-Preferred moorings are placed such that commercial day sail operators may have more convenient and safe access to the underwater features for their guests. As these commercial operators are day-use, these moorings are available for overnight use by other vessels.

- Dinghy tethers, marked with two round green buoys joined by a floating line, are authorized for vessels up to 16' LOA. These tethers are located at the following locations: Honeymoon Beach, Hawksnest Bay, Trunk Bay, Little Cinnamon, Maho Bay, Little Maho, and Waterlemon Cay.

Boat Exclusion Areas

- The following are prohibited in Boat Exclusion Areas:
 - a. Operating a motorized vessel
 - b. Operating a vessel under sail, including windsurfers
 - c. Surfing, kite surfing, boogie or skim boarding
 - d. Fishing with hook and line: An exception to this regulation is that a motorized vessel, being rowed or paddled, is allowed in a boat exclusion area for the purpose of cast netting for bait fish.
- No kayaks or paddleboards within 200 feet of the west side of Trunk Cay, to avoid the underwater snorkel trail

Determining Factors: This restriction is necessary to ensure visitor safety, protect sensitive marine resources, and preserve the quality of recreational experiences. Boat Exclusion Areas are designated to minimize conflicts between motorized and non-motorized watercraft, swimmers, and snorkelers, and to prevent damage to fragile underwater habitats. Prohibiting motorized vessels, sailing craft, personal watercraft, and certain recreational activities reduces the risk of injury, environmental degradation, and wildlife disturbance. The exception of manually propelled motorized vessels engaged in cast netting for bait fish supports traditional fishing practices while maintaining resource protection. The additional restriction around Trunk Cay safeguards the integrity of the underwater snorkel trail and enhances visitor safety.

Beach Access Channels

- Vessels under sail or motor that are less than 26 feet in length overall may enter beaches within Boat Exclusion Areas only through designated channels marked by red and green buoys. These vessels must remain inside the marked channels and may land on the beach only within the area directly between the beach and the nearest red and green buoys. After dropping off passengers, vessels must depart the beach immediately and either use the dinghy tethers, if available, or exit the Boat Exclusion Area. Vessels may not remain on the beach overnight

Determining Factors: Channels have been positioned at beaches that have boat exclusion area buoys to provide beach access to boaters. Vessels greater than 26 feet pose a greater hazard to nearby swimmers and resources.

- **Honeymoon Beach Access** Vessels under sail or motor up to 60 feet LOA may access Honeymoon Beach Boat Exclusion Area through the beach access channel. Only one vessel may use the channel at any given time.

Determining Factors: Honeymoon beach is a popular stop for day use operators. By allowing these vessels to access the beach they can disembark passengers safely on the shoreline without having to shuttle them back and forth by dinghy or swim long distances from a mooring to the shore.

§ 3.8 Vessel Operations

- Vessels anchoring, mooring, or as applicable, stationary positioning within Park waters may not exceed a cumulative of thirty (30) nights in a calendar year within the Park and no more than seven (7) consecutive nights in one bay.

Determining Factors: Visitor use restrictions are necessary to ensure that boaters do not abuse their length of stay and that all prospective visitors have access to space, facilities, and services within the park.

- The NPS Cruz Bay Creek Dinghy Area is for vessels less than or equal to 16 feet LOA. Dinghies are not permitted to stay overnight. Vessels left unattended over 24 hours are subject to fines and removal by the NPS.

Determining Factors: Due to limited space and water depth, and high public demand, this area is restricted to small vessels and relatively short stays.

- Vessel docking at the NPS Cruz Bay finger pier is strictly limited to a maximum of fifteen (15) minutes in designated area and actively loading and unloading in all other areas. Commercial operators utilizing the finger pier for the loading or unloading of passengers or goods must possess a valid VIIS Commercial Use Authorization (CUA).

Determining Factors: Fifteen-minute limits provide for visitors to pick up or drop-off passengers, pay mooring fees and obtain park information. This is a heavily used and shared area, time limits are necessary to facilitate the use.

- Vessels docking at Careening Cove or Creque Marine Railway on Hassel Island are limited to day-use only. Storing of vessels on Hassel Island is prohibited.

Determining Factors: Visitors to Hassel Island have limited places to safely access the shore and hike the island, thus any approved vessel tie offs are to be utilized by daily visitors.

- Commercial and recreational use of the NPS dock facility at Red Hook is by special use permit only. Only vessels 60 feet LOA or less will be considered for a permit.

Determining Factors: This area is closed to commercial and recreational uses except by permit due to safety reasons.

- The following commercial vessels are prohibited from transiting through VIIS waters without a permit, except for the area between Lovango Cay and Rata Cay. Vessels must transit west of NPS boundary buoy B at Lind Point, north of Rata Cay, north of Johnson's Reef, and north of Whistling Cay.
 - a. Cruise ships
 - b. Tugboats
 - c. Barges
 - d. Cargo vessels
 - e. Passenger ferries
 - f. Yachts greater than 210 feet LOA

Determining Factors: These vessels pose a serious hazard to the park's natural and cultural resources if they were involved in a collision, grounding and/or sinking. These vessels will require a permit signed by the Superintendent to operate in VIIS waters.

Boat Launching

- The public may use the designated boat-launching ramp in Cruz Bay to launch or retrieve their vessels. Parking of trailers, boats, or vehicles on the ramp or surrounding area is prohibited. The NPS boat ramp is open to public use between 8:00 AM and 5:00 PM daily.

Determining Factors: The public will continue to be permitted to use the ramp for launching and retrieving vessels between the hours of 8:00 AM and 5:00 PM. However, due to park operations and limited storage space for government property, personal property of any kind is not permitted to be stored at the boat ramp.

- Floating pay stations are for the sole purpose of paying fees. All other activities are prohibited.

Determining Factors: Other activities interfere with visitors' safe access to pay mooring fees.

§ 3.9 Operating Personal Watercraft (PWC)

- A person may not operate a PWC in VIIS or VICR.

Determining Factors: Virgin Islands National Park and Virgin Islands Coral Reef National Monument are not among the list of parks where operating PWC is authorized by special regulation.

§ 3.12 Water Skiing or Similar Activities

- Kite surfing is prohibited in boat exclusion and mooring areas

Determining Factors: This activity enhances safety concerns and potential conflicts with other park uses within the specified areas.

- Water skiing, and towing of any recreational device is prohibited within VIIS and VICR waters.

Determining Factors: These activities enhance safety concerns and potential conflicts with other park uses. These activities are not appropriate for public use and enjoyment of the park under the respective enabling legislation.

- Operating a vessel at speeds of more than 5 miles per hour or creating a wake in mooring fields, within 200 feet of a mooring field, or within Princess Bay, Mary, Borck, Otter, or Water Creeks is prohibited.

Determining Factors: Excessive speed in mooring areas increases the dangers of collision with other vessels and people in the water. Creating a boat wake in the mooring areas disrupts vessels and visitors. And causes potential resource damage to fragile corals and mangroves near shore. The designated areas are unique in the diversity of marine life and serve as nursery habitats.

§ 3.16, 3.17, Swimming and Bathing:

- The Superintendent may designate areas as swimming areas or swimming beaches in accordance with §1.5 and 1.7r.
- Glass bottles or glass containers are prohibited on all VIIS beaches and their associated walkways and pavilions.

Determining Factors: This regulation provides for a safe visitor experience and minimizes the risk of injury.

§ 3.18 Snorkel and Underwater Dive

- SCUBA diving and snorkeling are permitted in areas adjacent to beaches and insideboat exclusion areas, with the exception that no SCUBA diving is allowed inside Trunk Bay boat exclusion area. SCUBA diving and snorkeling are prohibited in designated boat channels, shipping lanes, and dock areas.
- 3.18(b) In waters open to the use of vessels, a diver must prominently display a dive flag during dive operations. A dive flag must not be displayed unless diving operations are ongoing.
- 3.18(c) The dive flag must be illuminated when dive operations take place between sunset and sunrise. The dive flag illumination may not consist of lights that may be confused with navigation lights or aids to navigation lights.
- 3.18(d) While on the surface, submerging or surfacing, the diver must remain within a 100 feet horizontal radius of the diver flag.

Determining Factors: This regulation provides for a safe visitor experience and minimizes the risk of injury. Due to the high number of visitors at Trunk Bay who are there to snorkel, SCUBA diving activities would interfere with visitor safety. For dive flag requirements, these restrictions are necessary to ensure diver safety and reduce the risk of vessel-diver collisions by clearly signaling when and where dive operations are taking place. Requiring a dive flag to be displayed only during active diving prevents confusion for vessel operators, while the illumination of the flag between sunset and sunrise ensures visibility in low-light conditions without interfering with navigation lighting. Maintaining a 100-foot horizontal radius between the diver and the flag provides a predictable safety buffer, allowing vessels to identify and avoid areas where divers are entering, surfacing, or swimming near the surface.

- Recreational Hookah underwater breathing systems, which are powered by internal combustion compressors, are prohibited.

Determining Factors: The internal combustion compressors used by many Hookah underwater breathing systems produce exhaust products and unacceptable sound levels for a National Park. These emissions are disruptive to both wildlife and park visitors.

- Use of underwater (SCUBA) dive scooters or dive propulsion vehicles/devices are prohibited unless authorized via a permit issued by the park Superintendent.

Determining Factors: Underwater dive propulsion vehicles cause disturbance to marine life such as sea turtles and fish, particularly baitfish schools that support seabird and fish populations in the park.

36 CFR PART 4 – VEHICLES & TRAFFIC SAFETY

Violations of traffic laws may result in citations, fines and/or vehicle towing. Towing is not conducted by the NPS, and therefore the NPS is not responsible for any damage, retrieval arrangements, or associated costs.

§ 4.12 Traffic control devices.

- Failure to comply with the directions of a traffic control device is prohibited unless otherwise directed by a uniformed NPS employee, contractor or official temporary signage.

Determining Factors: Roads are often narrow, uneven, winding and steep. Traffic control devices are necessary to ensure safe movement of vehicles.

§ 4.13 Obstructing traffic

- Stopping or parking a vehicle upon a park road, except as authorized by a uniformed NPS employee, contractor or official temporary signage, or in the event of an accident or other condition beyond the control of the operator is prohibited.

Determining Factors: Roads within the park are designated as one-way ingress and one-way egress lanes only. These roads are often narrow, uneven, winding, and steep. Limited visibility around blind corners creates significant safety risks, which are compounded when vehicles obstruct lanes in either direction. Obstructing traffic may also impact emergency vehicles from traveling expeditiously.

§ 4.21(b) Speeding

- The maximum speed on park roads is 20 miles per hour, unless posted otherwise.

Determining Factors: Roads are often narrow, uneven, winding and steep. Speed restrictions are set in place for the protection of park visitors, residents, and resources. Higher speeds significantly increase the risk of serious injury or death in the event of accidents.

§ 4.30 Bicycles

- Bicycles and E-bikes are permitted only on established roadways (paved surfaces and dirt). Bicycles and E-bikes are prohibited on all park trails.
- E-bikes are allowed in VIIS where traditional bicycles are allowed. E-bikes are prohibited where traditional bicycles are prohibited. Except where use of motor vehicles by the public is allowed,

using the electric motor to move an e-bike without pedaling is prohibited.

- A person operating an e-bike is subject to the following sections of 36 CFR Part 4 that apply to the use of traditional bicycles: sections 4.12, 4.13, 4.20, 4.21, 4.22, 4.23, and 4.30(h)(3)-(6).

Determining Factors: Bicycles on trails would negatively impact hikers, native flora and fauna, and will increase erosion and unnecessary widening of trails. Additionally, trails are often narrow, steep, greatly uneven, and have the presence of loose rocks creating cycling safety hazards.

36 CFR PART 5 – COMMERCIAL & PRIVATE OPERATIONS

§ 5.3 Business Operations

- Commercial operations are not permitted within Hurricane Hole.

Determining Factors: Hurricane Hole is an ecologically sensitive area where commercial services are inappropriate and incompatible with resource-protection goals. There is a need to minimize vessel impacts and preserve natural conditions.

36 CFR PART 7 – SPECIAL REGULATIONS, AREAS OF THE NATIONAL PARK SYSTEM

- Section 7.46 (VICR) and 7.74 (VIIS) Special Regulations
- Extractive Uses 36 CFR 7.46(a)
- Exceptions 36 CFR 7.46(b)
- Marine operations 36 CFR 7.46(c) and 7.74(b)
- Wrecks 36 CFR 7.46 (d) and 7.74(c)
- Boats 36 CFR 7.46(e) and 7.74(d)
- Anchoring 36 CFR 7.74(d) (2)
- Trunk Bay Anchoring 36 CFR 7.74(d)(3)
- Passenger Vessels 36 CFR 7.74(d)(4)
- Fishing (spearfishing equipment) 36 CFR 7.74(e)(2)
- Species (lobsters, crabs, whelks) 36 CFR 7.74(e)(1)3-5

Determining factors: These special regulations implement protections specific to the marine and terrestrial environments of the Virgin Islands National Park and Virgin Islands Coral Reef National Monument. They are necessary to safeguard fragile coastal ecosystems, submerged cultural resources, coral reef habitat, visitor safety, and the unique natural and cultural values for which the parks were established. The regulations also provide clear operational guidance given the high volume of marine recreation and commercial activity in surrounding waters.

APPENDIX A

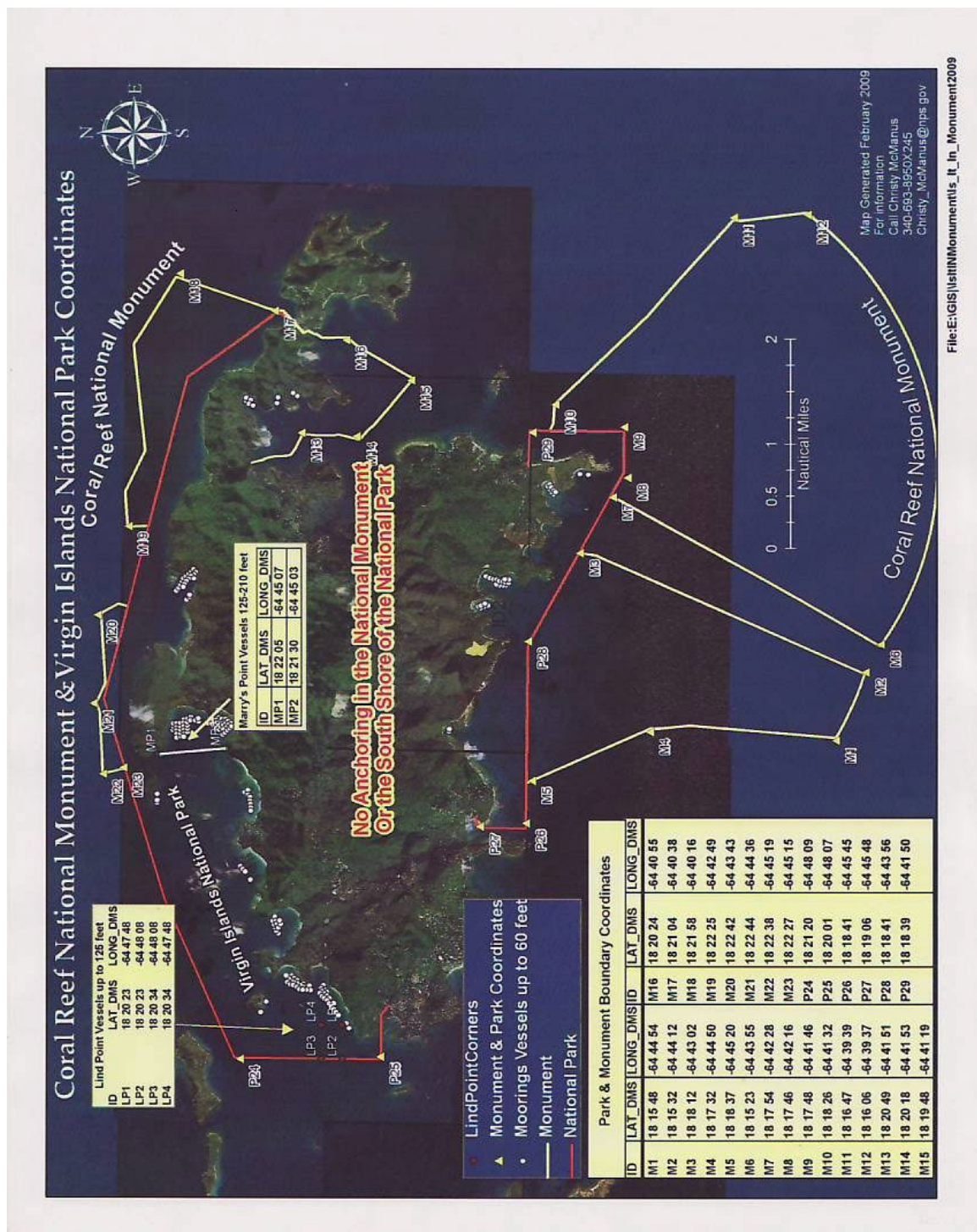
Designated Area for Demonstrations and the Sale and Distribution of Printed Matter

The concrete culvert east of the brown bollards near the VIIS Visitor Center in Cruz Bay.



APPENDIX B

VIIS/VICR Map



APPENDIX C

White Cliffs Temporary Resource Protection Closure



The White Cliffs temporary closure is identified as the “Restricted Access” area within the boundary of the orange lines.

Appendix D Caneel Bay Area

